

28.01.2025
(12.31 pm)

One of the regular Stenographer is on half day leave today.

Present : Sh. Hoshiyar Singh Ld. Counsel for plaintiff.
Sh. Kuldeep Sangwa Ld. counsel for D4.
None for D1, D5 and D7 (**Ex-parte vide order dated 26.02.2024**).
None for D3 (**opportunity to file WS closed on 07.05.2024**).
None for D2 and D6.

Process issued to D6 received back unserved with the report 'address is not correct'.

Plaintiff is directed to provide fresh and correct address of D6 within 10 working days from today, subsequent to which notice be issued to D6 on PF/RC, returnable for NDOH. Process be given dasti. It is in the sense that plaintiff shall be at liberty to accompany the Process Server.

None has appeared for D2 despite calls. Neither any WS nor any application for condoning delay in filing WS has been filed, so far. It seems that D2 is not interested in defending / pursuing this suit against her. **Therefore, right to file WS of D2 is hereby closed.**

At this stage, the Ld. Counsel for D4 has filed application seeking waiver of cost. Same be taken on record. Copy supplied.

Ld. Counsel for D4 submits that he is ready to pay

the half of the imposed cost. Not opposed.

Submissions heard. Record perused.

In view of the reasons mentioned in the aforesaid application as well as on the basis of submissions made by the Ld. Counsels for parties, the cost of Rs. 10,000/- imposed vide order dated 24.09.2024, is reduced to half i.e. to the extent of Rs. 5000/-, be paid to plaintiff. **The application is disposed off, accordingly.**

At this stage, Ld. Counsel for defendant has paid part cost of Rs. 4500/- to Ld. Counsel for plaintiff and undertakes to pay balance cost of Rs. 500/- on NDOH.

At this stage, Ld. Counsel for D4 that he does not wish to pursue the application u/o 7 R 11 CPC and wants to withdraw the same. Heard.

In view of the above submission, the application u/o 7 R 11 CPC of D4 is disposed of as withdrawn.

Matter is adjourned.

Matter be listed for payment of balance cost, appearance of D6 and further proceedings on 05.05.2025.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/28.01.2025_(ch)